



**FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: Anthony Oleszkiewicz
DOCKET NO.: 17-02822.001-R-1
PARCEL NO.: 05-26-106-010

The parties of record before the Property Tax Appeal Board are Anthony Oleszkiewicz, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** in the assessment of the property as established by the **Lake** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$27,831
IMPR.: \$66,926
TOTAL: \$94,757

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Lake County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2017 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of a tri-level dwelling of wood siding exterior construction with 1,834 square feet of living area. The dwelling was constructed in 1977. Features of the home include a partially finished basement, a finished lower level, central air conditioning, one fireplace and a 672 square foot attached garage. The property has a 56,730 square foot site and is located in Grant Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located from .48 of a mile to 2.12 miles from the subject. The comparables are described as tri-level dwellings of wood siding or brick exterior construction ranging in size from 1,750 to 2,326 square feet of living area. The dwellings were constructed from 1961 to 1980 on sites ranging in size from 17,167 to 217,800 square feet of land area. One comparable has an unfinished basement. Each comparable has a

lower level with finished area, central air conditioning and one or two fireplaces. Two comparables have a 546 or an 840 square foot garage. The comparables sold from August 2015 to May 2016 for prices ranging from \$265,000 to \$290,000 or from \$124.68 to \$151.43 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$99,242. The subject's assessment reflects a market value of \$299,373 or \$163.23 per square foot of living area, land included, when using the 2017 three-year average median level of assessment for Lake County of 33.15% as determined by the Illinois Department of Revenue.

In response to the appellant's evidence, the board of review submitted a letter from the township assessor critiquing the appellant's comparables noting differences in living area, lot size and features when compared to the subject.

In support of the subject's assessment, the board of review submitted information on three comparable sales located from 1.21 to 1.45 miles from the subject. The comparables are described as tri-level dwellings of wood siding exterior construction ranging in size from 1,114 to 1,664 square feet of living area. The dwellings were constructed in 1967 or 1984 on sites ranging in size from 45,368 to 58,827 square feet of land area. One comparable has an unfinished basement. Each comparable has lower level with finished area, central air conditioning and a garage ranging in size from 720 to 1,586 square feet of building area. Two comparables each have a fireplace and one comparable has a 720 square foot inground swimming pool. The comparables sold from July 2014 to August 2017 for prices ranging from \$216,000 to \$249,900 or from \$150.18 to \$193.90 per square foot of living area, including land. Based on this evidence, the board of review requested that the subject property's assessment be confirmed.

Conclusion of Law

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the parties submitted six comparable sales to support their respective positions. The Board gave less weight to the appellant's comparables #2 and #3 along with board of review comparables #1 and #3 due to their dated sales in 2014 and 2015 and/or dissimilar land sizes when compared to the subject.

The Board finds the best evidence of the subject's market value to be the appellant's comparable #1 and the board of review comparable #2. The Board recognizes appellant's comparable #1 differs from the subject in land size, dwelling size and features such as basement finish, fireplaces and lacks a garage and board of review comparable #2 differs from the subject in

dwelling size and basement area which require adjustments. They sold in March 2016 and August 2017 for prices of \$290,000 and \$243,000 or for \$124.68 and \$164.75 per square foot of living area, including land. The subject's assessment reflects a market value of \$299,373 or \$163.23 per square foot of living area, including land. After considering necessary adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is not supported. Based on this record, the Board finds the appellant proved by a preponderance of the evidence that the subject was overvalued. Therefore, a reduction in the subject's assessment is justified.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Member



Member



Member

DISSENTING: _____

CERTIFICATION

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: April 21, 2020



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year or years of the same general assessment period, as provided in Sections 9-125 through 9-225, are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for such subsequent year or years directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.

PARTIES OF RECORD

AGENCY

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